

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC ANNUAL COST RECOVERY FILING)	CASE NO.
FOR DEMAND SIDE MANAGEMENT BY DUKE)	2018-00370
ENERGY KENTUCKY, INC.)	

ORDER

Pending before the Commission are two motions: one filed on July 9, 2019, by the Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General); the other filed on July 29, 2019, by the Northern Kentucky Community Action Commission (NKCAC).

The Attorney General's motion requests the Commission to: (1) suspend and investigate, including the opportunity to conduct discovery, the proposed rates and tariffs attached to the motion of Duke Energy Kentucky, Inc. (Duke Kentucky), to amend its Home Energy Assistance Program (Motion to Amend); and (2) extend the time for filing a response to the Motion to Amend from seven days as prescribed by regulation to the conclusion of this proceeding.

Based on the Attorney General's motion, the Commission finds that by Order entered July 11, 2019, we stated that an investigation was necessary to determine whether good cause existed to grant the Motion to Amend and the effective date of the proposed rates was suspended, pursuant to KRS 278.190(2), for five months, up to and including December 31, 2019, to conduct an investigation. The Attorney General then filed his initial data requests on July 15, 2019, and Duke Kentucky filed responses to

those data requests on July 29, 2019. At the hearing held in this matter on July 31, 2019, the Commission permitted the Attorney General to conduct cross-examination on the proposed rates and tariffs and to submit post-hearing data requests, which he filed on August 2, 2019. The Commission also ruled from the bench at the hearing that any response to the Motion to Amend could be filed with a post-hearing brief on or before September 13, 2019, and that the ruling would be confirmed by written Order. Thus, the Attorney General's request to suspend and investigate the Motion to Amend should be denied as moot and his request to extend the time to file a response to the Motion to Amend should be granted.

NKCAC's motion, filed in conjunction with its counsel's entry of appearance, requests that its counsel be added to the service list for this case even though NKCAC acknowledges that it is not a party to this case. Based on NKCAC's request, the Commission finds that NKCAC's participation in this case was limited to providing testimony of its employees at the hearing pursuant to subpoenas issued by the Commission. As a non-party to this case, neither NKCAC nor its counsel should be included on the service list for this case.

IT IS HEREBY ORDERED that:

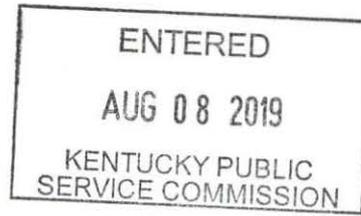
1. The Attorney General's motion to suspend and investigate, including the opportunity to conduct discovery, the rates and tariffs attached to Duke Kentucky's Motion to Amend is denied as moot.
2. The Attorney General's motion to extend the time to file a response to Duke Kentucky's Motion to Amend is granted.

3. The Attorney General may respond to Duke Kentucky's Motion to Amend in a post-hearing brief due on or before September 13, 2019.

4. NKCAC's motion to have its counsel added to the service list for this case is denied.

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By the Commission



ATTEST:

A handwritten signature in blue ink, appearing to read "Steve R. Purno". The signature is written in a cursive style and is positioned above the printed name.

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